

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	6.25	(1.25)	.00	5.00	(1.25)	.00	5.00	5.00
Personal Services	150,539	31,599	0	182,138	30,637	0	181,176	363,314
Operating Expenses	136,509	90,714	13,950	241,173	(61,545)	7,950	82,914	324,087
Total Costs	\$287,048	\$122,313	\$13,950	\$423,311	(\$30,908)	\$7,950	\$264,090	\$687,401
General Fund	287,048	122,313	13,950	423,311	(30,908)	7,950	264,090	687,401
Total Funds	\$287,048	\$122,313	\$13,950	\$423,311	(\$30,908)	\$7,950	\$264,090	\$687,401

### Agency Description

The Commissioner of Political Practices is provided for in 13-37-102, MCA, which was enacted in 1975 as part of a campaign finance and practice law reform package. The duties and responsibilities of the office are set forth in Title 13, Chapter 37, part 1, MCA. Additional responsibilities were created through passage of an initiative in 1980 that provided for disclosure of information by lobbyists and disclosure of the business interests of elected officials. In 1995, the legislature enacted the code of ethics (Title 2, Chapter 2, MCA) and assigned to the commissioner the responsibility for administering ethical standards of conduct for legislators, public officers, and state employees.

### Summary of Legislative Action

The budget adopted by the legislature includes statewide present law adjustments and personal services adjustments, a present law adjustment to address a problem with legal fees, and a new proposal providing for the purchase of new computers. In the past, the agency has had difficulties estimating the amount required for legal expenses. To assist the agency in dealing with the problem, the legislature provided a biennial restricted appropriation of \$148,000 for legal fees and included language in HB 2 specifying that the agency should seek a supplemental appropriation if that amount proves insufficient.

Agency Budget Comparison								
Budget Item	Base Budget Fiscal 1998	Executive Budget Fiscal 2000	Legislative Budget Fiscal 2000	Leg – Exec. Difference Fiscal 2000	Executive Budget Fiscal 2001	Legislative Budget Fiscal 2001	Leg – Exec. Difference Fiscal 2001	Biennium Difference Fiscal 00-01
FTE	6.25	6.25	5.00		6.25	5.00		
Personal Services	150,539	200,221	182,138	(18,083)	199,034	181,176	(17,858)	(35,941)
Operating Expenses	136,509	156,781	241,173	84,392	149,022	82,914	(66,108)	18,284
Total Costs	\$287,048	\$357,002	\$423,311	\$66,309	\$348,056	\$264,090	(\$83,966)	(\$17,657)
General Fund	287,048	357,002	423,311	66,309	348,056	264,090	(83,966)	(17,657)
Total Funds	\$287,048	\$357,002	\$423,311	\$66,309	\$348,056	\$264,090	(\$83,966)	(\$17,657)

### Executive Budget Comparison

The legislature removed funding for a 1.0 FTE position and for a 0.25 FTE position that had been vacant for an extended period. The legislature also reduced the amount of longevity funding requested for the commissioner, since the new commissioner will not be eligible for longevity pay until late in fiscal 2001. However, the legislature granted increases for overtime pay and for a position upgrade. The net effect of the legislative actions reduced the personal service budget by \$35,941 from the amounts requested by the executive.

The legislature reduced the base funding for legal expenditures by \$63,068 each fiscal year, but granted a restricted biennial appropriation for legal fees of \$148,000. The total effect of the actions was to increase the appropriation for legal expenses over the executive request by \$21,864.

The legislature also granted funding for personal computers and LAN support in different amounts than the executive had

requested, granting more money for personal computers, but less for LAN support. The amounts granted by the legislature were below the executive request by \$2,720.

The legislature also adjusted expenditures for rent and ISD data network charges totaling \$860 to reflect differences between the rent and ISD data network rates proposed by the executive and those accepted by the legislature.

### Funding

Funding for this agency is general fund.

The agency is required to charge a fee commensurate with costs for printing and distributing the campaign finance report. Revenue from the report sale is deposited to the general fund and totaled \$2,365 in fiscal 1998. In the odd year of the biennium, lobbyists must register with the commissioner and pay a filing fee of \$50. This revenue and any copy fees are deposited in the general fund. The agency can also levy civil fines against individuals or groups that violate campaign finance laws.

Present Law Adjustments						
Present Law Description	Fiscal 2000 FTE	Fiscal 2000 General Fund	Fiscal 2000 Total Funds	Fiscal 2001 FTE	Fiscal 2001 General Fund	Fiscal 2001 Total Funds
Statewide Present Law						
Personal Services			51,877			50,880
Inflation/Deflation			555			556
Fixed Costs			5,657			1,397
Total Statewide Adjustments			\$58,089			\$52,833
Present Law Adjustments						
1 Personal Services Adjustment	(1.25)	(20,278)	(20,278)	(1.25)	(20,243)	(20,243)
2 Legal Fees - Base Reduction	.00	(63,068)	(63,068)	.00	(63,068)	(63,068)
3 Legal Fees - Biennial Appropriation	.00	148,000	148,000	.00	0	0
4 Fixed Cost Reductions	.00	(430)	(430)	.00	(430)	(430)
Total PL Adjustments	(1.25)	\$64,224	\$64,224	(1.25)	(\$83,741)	(\$83,741)
Present Law Adjustments Total			\$122,313			(\$30,908)

### Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1 - Personal Services Adjustment - The legislature approved present law reductions of \$20,278 in fiscal 2000 and \$20,243 in fiscal 2001 which included elimination of funding for a 1.0 FTE position and a 0.25 FTE position that were vacant. The legislature partly offset the funding elimination by granting increases for overtime pay. In other personal services funding changes that are partly reflected in the personal services portion of statewide adjustments, the legislature granted increases for an upgrade of one position and imposed a slight decrease in longevity funding for the commissioner's position. (The new commissioner will not be eligible for longevity funding until late in fiscal 2001.) The full effect of all legislative actions on personal services funding resulted in reductions of \$18,083 in fiscal 2000 and \$17,858 in fiscal 2001 from the amounts requested by the executive.

DP 2 - Legal Fees - Base Reduction - The legislature accepted a present law reduction to reduce expenditures on legal fees that were in the base. The legislature subsequently granted a biennial appropriation of \$148,000 for legal fees in another decision package.

DP 3 - Legal Fees - Biennial Appropriation - The legislature granted a biennial restricted appropriation of \$148,000 for legal fees.

DP 4 - Fixed Cost Reductions - The legislature reduced fixed cost allocations to reflect reductions in rental rates and ISD data network charges.

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
1	Computer Equipment and Support	.00	13,950	13,950	.00	7,950	7,950
Total New Proposals		.00	\$13,950	\$13,950	.00	\$7,950	\$7,950

### New Proposals

DP 1 - Computer Equipment and Support - The legislature appropriated \$6,000 for fiscal 2000 to fund the purchase of three personal computers. The legislature also appropriated \$2,650 each fiscal year for LAN support and \$5,300 each fiscal year for network support to be provided by ISD.

### Language

"The legislature recognizes that the appropriation for legal fees for the Commissioner of Political Practices may not be sufficient to meet all costs in the 2001 biennium, and that the commissioner may have to seek supplemental authority to pay those costs."